

Chapter 9.08**USE OF PUBLIC PARKS****Sections:**

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Section 9.08.010 Rules and regulations adopted.

The rules and regulations set out in this Chapter are established and adopted for the use of public parks in the City of Riverside. All persons using any public park or any facility thereon in any manner shall obey all applicable rules and regulations herein established or adopted. Any persons desiring to vend or sell or offer for sale any merchandise or article or thing whatsoever must have the written consent of the Park and Recreation Commissioners. As used in this Chapter, "Park and Recreation Director" shall mean the Parks, Recreation and Community Services Director. (Ord. 6832 § 2, 2005; Ord. 6526 § 2, 2000; Ord. 4888 § 1, 1981; Ord. 4267 § 1, 1976; prior code § 25.1)

Section 9.08.015 Use of White Park.

A. The rules and regulations set out in this section are established and adopted for the use of White Park in the City of Riverside. All persons using White Park or any facility thereon in any manner shall obey all applicable rules and regulations herein established or adopted. Except as otherwise provided in this Section, all rules and regulations set out in Chapter 9.08 shall apply to the use of White Park.

B. White Park is designated as a passive use park for activities that are engaged in by individuals or small groups, usually not dependent on a delineated area designed for specific activities. The facilities at White Park will include the following.

1. A walk-through botanical garden.
2. A small community meeting room which will accommodate up to 50 people which can be used for meetings and seminars.

3. Permanently affixed tables with inlaid chess/checkerboards and adjacent benches.
4. Bandstand for outdoor performances and special events.

C. White Park is not designed for active use such as soccer, football, baseball, softball, basketball, tennis, volleyball, wheelchair football, bicycling, skateboarding, or skating. There are no fields, courts, or large open space areas within White Park.

D. In consideration of the designated passive use of White Park, the following are prohibited from the park;

1. Dogs, except as provided in section 9.08.020.B.
2. Bicycles, skateboards, scooters, roller skates, roller blades, in-line skates, shopping carts, or any other self propelled device, unless specifically used in connection with a physical disability under federal or state law.

E. White Park Hours.

White Park shall be open for specific hours and times for normal use of the park which shall be determined by the Parks and Recreation Director and shall be posted on all entrances to the park.

White Park may also be open for special events sponsored by the Parks and Recreation Department or as reserved by permit for special private events as provided in section 9.08.120.

F. Any person who fails to obey the rules and regulations for use of White Park shall be in violation of the provisions of this section. Each incident shall be a new and separate offense. (Ord. 6592 § 1, 2001)

Section 9.08.020 Dogs permitted; leash requirements; exceptions; conditions.

A. Dogs permitted on-leash. Except as herein provided, no person owning or having charge, care, custody or control of any dog shall permit or allow the same to be in a public park unless such dog is restrained by a leash not more than six feet in length and under the control of a competent person able to restrain such dog.

B. Exceptions. The requirement for a dog to be on-leash while in public park shall not apply to the following:

1. Any dog used by a law enforcement agency.
2. A dog while participating in a dog obedience training program or a dog obedience or conformation show authorized by the Park and Recreation Director, although such dog shall be on leash or otherwise restrained while not actively participating in such show or program.
3. A dog within a posted leash optional area of the park as designated by the City Council, provided, however, nothing herein shall relieve the owner or person having charge, care, custody or control of such dog from the responsibility to maintain proper control over such dog nor shall this subsection be construed as relieving such person from liability for any damages arising out of his or her use of a leash optional area.

C. Rules and regulations for dogs in public parks.

1. It shall be unlawful for any person owning or having charge, care, custody of any dog in a public park not to immediately pick up and properly dispose of the feces of such dog. Proper disposal shall include the placement of such feces in a bag or other container and its removal from the park and disposal in an appropriate depository; provided, however, in designated leash optional areas, such bag or other container may be deposited in a container, if any, designated for such purpose.

2. No dog is permitted in any designated leash optional area in the custody of a child twelve years of age or younger unless such child is accompanied and supervised by a person at least eighteen years of age.

3. No person may have more than two dogs in a designated leash optional area at any one time.

4. Any dog in a designated leash optional area must be under the voice control of the

person having custody of such dog while the dog is in said area.

5. No dogs are permitted in a designated leash optional area except during posted hours of operation.

6. No person shall place a dog in a designated leash optional area which is not over the age of four months, vaccinated for rabies and wearing a current dog tag, or whose owner has within his or her possession said dog tag.

7. No person shall place a dog that is sick or in heat in a designated leash optional area.

8. No person shall place an aggressive dog, of any breed, in a designated leash optional area even if such dog is on a leash.

9. Any person having care or custody of a dog in a leash optional area shall quiet the dog if the dog barks.

10. No person shall bring any animal other than a dog to a leash optional area unless otherwise specifically authorized by the Park and Recreation Director in writing.

11. The use of a leash optional area by the owner or other person having charge, care, custody or control of a dog shall constitute agreement by that person to follow the rules provided in this Subsection C, and his or her agreement to protect, indemnify, defend and hold harmless the City and its officers and employees from any claim, injury or damage arising from or in connection with such use. (Ord. 6526 § 2, 2000; Ord. 6396 § 1, 1997; Ord. 6198 § 1, 1995; Ord. 4780 § 2, 1980; Prior code § 25.2)

Section 9.08.030 Animals prohibited; Exceptions.

No person shall cause, permit, or allow any animal, bird, or reptile owned possessed by, or in the custody or control of him or her, to be present in any park except:

A. Equine animals being led or ridden under control upon a bridle path or trail authorized and provided for such purpose;

B. Equine or other animals which are hitched or fastened at a place expressly authorized and designated for such purpose;

C. Dogs or cats when caged, or when led by a leash or chain not more than six feet long, or when confined within the interior of a vehicle and under the control of a competent person able to restrain said animal;

D. Dogs which have been specially trained for law enforcement purposes or which are being used by blind or disabled persons to aid and guide them in their movements;

E. Small animals, birds, reptiles, or otherwise are kept on the person of the possessor at all times;

F. In connection with activities authorized by the Park and Recreation Director and when in accordance with all conditions attached to such authorization as set forth in Section 9.08.110. (Ord. 6526 § 2, 2000; Prior code § 25.2)

Section 9.08.040 Animals protected.

No person shall hunt, frighten, disturb, chase, set a snare for, catch, injure, or maltreat any domestic or other animal within a park, nor shall any person fish with hook and line, seine, trap, spear or net, or by any other means, in any pond, lake, stream, or water within a park, except at a place especially authorized and provided for such purpose. This prohibition shall not apply to law enforcement personnel, nor to animal control officers, nor to City employees or contractors acting within the scope of their official duties or contract obligations. (Ord. 6526 § 2, 2000; Prior code § 25.4)

Section 9.08.050 Animals; Removal of feces.

Any person causing, permitting, or allowing any animal, bird, or reptile owned or possessed by him, or any animal, bird, or reptile in the custody or control of such person, to be

present in any park pursuant to the provisions of Section 9.08.030 shall immediately pick up and properly dispose of the feces in a bag or other container, and its removal from the park and disposal in an appropriate depository. (Ord. 6526 § 2, 2000; Prior code § 25.5)

Section 9.08.060 Bicycle and skateboard riding rules.

No person shall operate any skateboard, bicycle, or any propelled device or other similar article or device in or upon any park, playground, trail, open space area or other area of the City under the control of the Park and Recreation Department in willful or wanton disregard for the safety of persons or property. While elsewhere within a park, such devices shall be carried, pushed, or dismounted when moving from place to place. No person shall operate such device upon the tennis courts within any public park in the City except at or on a place especially authorized and provided for such purpose. If such purpose is authorized, users are required to wear the authorized safety gear such as helmet, wrist guards, elbow pads or said equipment for the authorized use of such activity. (Ord. 6526 § 2, 2000; Prior code § 25.6)

Section 9.08.065 Designated skateboarding area rules.

A. The following regulations shall apply to any facility, park or other area designated by the City by resolution as a skateboarding area:

1. No person shall skate or skateboard at times other than established as the hours of operation. The hours of operation shall be from thirty minutes before sunrise and thirty minutes after sunset, except as otherwise posted by City. No person shall use or remain in such facility in violation of this section without written consent of the City.

2. No person shall use the skateboarding areas for uses other than skateboarding and in-line skating.

3. No person shall use the skateboarding areas unless proper safety equipment including a helmet, elbow pads, and knee pads are worn. All such gear must be functional and protective, properly sized and designed for their intended use at the skateboarding areas.

4. Every person under the age of fourteen must be supervised by an adult.

5. No person shall ride or cause bicycles or scooters to be on the skating surface of the skateboarding areas.

6. No person shall use alcohol or drugs in the skateboarding area.

7. All persons using the skateboarding area must place trash in cans provided by the City or such persons shall be removed from the designated skateboarding areas.

8. No person shall cause graffiti or tagging at or near the skateboarding area.

9. No person shall skate on the curbs, sidewalks, fences, railings and/or driveways of the City owned area surrounding the skateboarding area.

B. Violations and Penalties. Violations of any provisions of Section 9.08.065 is deemed to be an infraction and is punishable as such according to the provisions of this Code and state law. (Ord. 6586 § 1, 2001)

Section 9.08.070 Camping; Permit required.

No person shall camp, lodge or remain overnight, unless there is set aside by the Park and Recreation Director certain places for this purpose and a permit has been obtained from the Park and Recreation Director. (Ord. 6526 § 2, 2000; Prior code § 25.7)

Section 9.08.080 Fires prohibited; Exceptions.

No person shall make or kindle a fire nor cook any meal within a park except in stoves or other facilities authorized and specifically provided for such purpose. In barbecue grills only charcoal is to be used. No fire shall be lit or maintained when the parks are closed, except by

written permission of the Park and Recreation Director. (Ord. 6526 § 2, 2000; Prior code § 25.8)

Section 9.08.090 Games; Restrictions.

No person shall play or engage in model airplane flying, model rockets, driving of golf balls, archery, or any game of a hazardous nature within a park, except at such place as shall be especially set apart and authorized for such purpose. (Ord. 6526 § 2, 2000; Prior code § 25.9)

Section 9.08.100 Liquid waste and refuse.

No person shall throw any stone or brush or dispose of dishwater or other waste liquids or dispose any garbage, empty container, or other solid waste material within a park, other than in receptacles or other facilities provided for such disposal. (Ord. 6526 § 2, 2000; Prior code § 25.10)

Section 9.08.110 Park hours.

A. Hours of Operation. All parks owned by the City of Riverside or to be hereafter owned by the City of Riverside, shall be closed from thirty minutes after sunset of one day and thirty minutes before sunrise of the next day except for those uses noted in Section 9.08.110(C.) or 9.08.120.

B. Closed Parks. Subject to the exceptions as indicated in Subsection C, it shall be unlawful for any person and/or vehicle to be present in or use any closed park as indicated in Subsection A.

C. Exceptions. The park hours prohibitions listed above shall not apply to persons:

1. Attending events sponsored by the City Park and Recreation Department or the events or activities conducted pursuant to a written permit issued by the Park and Recreation Director;

2. Engaged in City business;

3. Engaged in an authorized City program or activity; or

4. Engaged in an activity at a City park or community center for which a City facility use permit authorizing use during non-daylight hours has been obtained from the Parks and Recreation Department.

D. Emergency Park Closure. Whenever a danger to the public health or safety is created in any public park by such causes as flood, storm, fire, earthquake, explosion, accident or other disaster, or by riot or unlawful assembly, the Park and Recreation Director or designee may close the area where the danger exists for the duration thereof to any and all person not authorized to enter or remain within such closed area. No unauthorized person shall willfully and knowingly enter an area closed pursuant to this section nor shall willfully remain within such area after receiving notice to evacuate or leave the area. (Ord. 6526 § 2, 2000; Prior code § 25.11)

Section 9.08.120 Reservations and permits.

A. Reservations for activities in parks and park facilities. The Park and Recreation Director or designee shall be responsible for scheduling and controlling the use of parks and park facilities, or portions thereof, for the benefit and participation by interested public and private persons and groups. Any person 18 years or older desiring to reserve any football field, soccer field, ballfield, tennis court, swimming pool, picnic facility, or other park facility, shall apply for a permit. Such application shall be in writing, giving the name of the facility, the proposed use, the date of its proposed use, and the person to whom the permit is to be granted.

The person or group to whom the permit is to be granted shall abide by the policies and procedures of that facility.

B. Reservation Procedure. Groups of any size desiring to use City parks, park facilities, or portions thereof, may request the Park and Recreation Director or his designee to reserve the same for such use. Persons or groups from within the City shall be given priority over persons or groups from outside the City if a conflict in scheduling arises. Requests for such use shall be submitted in writing to the City on the Facility Request Form approved by the Park and Recreation Director not less than 10 working days in advance and not more than 12 months of the intended use. The Park and Recreation Director may permit a shorter or longer advance request time for good cause shown. The Facility Request Form is available at the Park and Recreation Department Office. Upon the written approval by the Park and Recreation Director or his designee, the applicant must pay such fees as approved by ordinance or resolution of the City, not less than 10 working days in advance of the intended use. If the Park and Recreation Director is not satisfied as to the reasonableness of the proposed activity in relation to the use of the park by other persons, or as the effect such use might have upon the peace of the neighborhood, or if the Park and Recreation Director is unable to agree with the applicant as to the conditions to be imposed, the request for a reservation shall be processed as a Special Event Permit.

C. Conditions. The Park and Recreation Director may impose such reasonable conditions upon the issuance of any formal permit required by the City as he or she deems necessary for the protection of the public health, safety, and welfare, including, without limitation, conditions related to time, place, frequency, duration, maximum number of persons in attendance, parking restrictions, and placement of apparatus and equipment. Each permit issued pursuant to this Section shall provide that the permittee will observe all applicable regulations governing the use of City Parks.

D. Insurance. The Park and Recreation Director may also require the applicant to provide such additional liability insurance, water, sanitary facilities and refuse receptacles as the Park and Recreation Director determines to be necessary for the protection of public health, safety, and welfare in connection with the intended use.

E. Fees and Deposits. Fees and deposits required in respect to reservation permits may include, without limitation, such amounts as may be determined by ordinance or resolution of the City, to be necessary to compensate the City, for the administrative costs associated with the permit, as security for repair of damage to the park or to park facilities, for costs of cleanup, and for extra personnel to regulate conduct and traffic.

F. Clean-up and Repair Expenses. The application form shall provide that the applicant shall reimburse the City for all unusual or extraordinary cleanup and repair expenses and for services provided by the City arising out of the activity authorized by the permit.

G. Denial, Cancellation or Termination of Permit or reservation. The Park and Recreation Director may deny, cancel, or terminate the permit or reservation and to require the immediate vacation of the premises upon finding that any of the following conditions exists:

1. That the applicant has not given written agreement to comply with all the conditions imposed upon the granting of the permit;

2. That the applicant reveals that the City does not have a park or facility which will accommodate the use, or the intensity or degree of the use contemplated by the application;

3. That the proposed use is not one which by law must be permitted, and the Chief of Police or the City has determined that the use, or the intensity or degree of the use contemplated by the application creates security problems which pose a threat or potential threat to the public safety or welfare which cannot be mitigated to an acceptable level by the use of security personnel and facilities reasonably available for such purpose;

4. That the applicant failed to file the application in a timely manner;

5. That the park, park area, or park facility is not available for the requested use at the

time specified by the applicant;

6. That the applicant has failed in a material way to comply with the terms and conditions of any prior permit issued to the applicant for use of a park, park area, or park facility, or has failed to pay to the City any fee or cost due in relation to the issuance or exercise of such a permit;

7. When a hazardous condition threatens or reasonably might threaten participants, spectators, City staff, or any person or property if the requested permit were to be issued;

8. If the permit applied for is for the purpose of holding a class, course of instruction, or activity for any program not expressly sponsored, sanctioned, or scheduled by the City and for which a fee is to be charged to attendees or participants. (Ord. 6526 § 2, 2000; Ord. 3403 § 1, 1966; prior code § 25.12)

Section 9.08.130 Restroom use.

No person shall use any restroom, washroom, or dressing facility within a park when the same has been designated for persons of the opposite sex, and said person shall not be allowed to go within twenty feet of such restroom, except City employees or contractors may enter upon such premises at proper hours for the purpose of cleaning, repairing, monitoring, and securing. No person shall be in the same stall with another, except children six years of age and younger or any person in need of assistance who are accompanied into such facility by an adult. No person shall cut or deface the walls of any restroom or structure within the public parks or shall cut or write thereon. (Ord. 6526 § 2, 2000)

Section 9.08.140 Smoking prohibited; Exceptions.

It is unlawful for any person to smoke or to dispose of any lighted match or cigarette, cigar ashes or any flaming or glowing substance in any area of any park or open space managed by the Park and Recreation Department and specifically designated by sign as a prohibited smoking areas by the Park and Recreation Department. The Park and Recreation Director is hereby authorized to designate the permissive and prohibited smoking areas by appropriate signs. (Ord 6526 § 2, 2000; Ord. 4628 § 1, 1978)

Section 9.08.150 Vehicle maintenance prohibited.

It is prohibited for any person, firm, or corporation to repair, lubricate, paint, prepare for painting, add to, alter or overhaul any vehicle within any park. The term add to, as used in this section, shall include within its meaning, the installation of any accessory to a vehicle. (Ord. 6526 § 2, 2000; Ord. 5228 § 1, 1984)

Section 9.08.160 Vehicles prohibited on surfaces other than roads for public use.

No person shall stop, park, ride or drive any vehicle, horse, motor vehicle, or motorcycle upon any path, trail, bridle path, or in any other area, unless it is posted or marked for parking or designated for use of travel, within a park, playground or recreation area owned or controlled by the City.

No person shall drive or otherwise operate a vehicle, as defined in California Vehicle Code Section 670, in a park or upon any surface other than those maintained and opened to the public for purpose of vehicular travel, except that vehicles may use such temporary parking areas as may be designated by appropriate signs from time to time authorized by the Park and Recreation Director. This provision does not apply to the following:

1. Any vehicle being used for authorized City business;
2. Any police or other emergency vehicle performing an authorized mission;
3. Any vehicle which is within a park pursuant to written permission of the Park and

Recreation Director. (Ord 6526 § 2,2000; Ord. 5929 § 1, 1991)

Section 9.08.170 Water prohibitions.

No person shall swim, fish in, bathe, wade, row, sail, or operate any boat, craft, or other device, on or in any pond, lake, stream, or water within or into a park, except at such place or places authorized and provided by the City for such use; nor shall any person pollute the water of any fountain, pond, lake, stream, or reservoir within a park or which would carry pollution to the water of a fountain, pond, lake, stream, or reservoir within a park; nor shall any person throw any stone, earth, or other article into any stream, pond, or lake in any park in the City, and no person shall dislodge or remove any earth or stone from any impounding dam in any such park. (Ord 6526 § 2, 2000)

Section 9.08.180 Severability of parts of code.

It is declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this code are severable, and if any phrase, clause, sentences, paragraph or section of this code shall be declared unconstitutional by the valid judgment of decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this code. (Ord 6526 § 2, 2000)